

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

JAMIE OBREGON ACOSTA,  
INDIVIDUALLY AND ON BEHALF OF  
OTHERS SIMILARLY SITUATED,

Plaintiff,

V.

SMART ALABAMA, LLC; AND AGWM  
UNITED, LLC; TOTAL EMPLOYEE  
SOLUTION SUPPORT, LLC; WK LAW  
GROUP, PC; AND WOON KIM,

Defendants.

CIVIL ACTION FILE NO.:

1:22-CV-01209-TWT

**DEFENDANT SMART ALABAMA, LLC'S MOTION FOR DISMISSAL  
OF PLAINTIFF'S FIRST AMENDED COMPLAINT**

**COMES NOW** Defendant, SMART Alabama, LLC ("SMART"), pursuant to Rules 12(b)(6) and 12(b)(2) of the Federal Rules of Civil Procedure, and hereby moves this Court to dismiss Count I of Plaintiff's First Amended Complaint (FAC) (ECF No. 18) for failure to state a claim and Counts II, III, and IV for lack of personal jurisdiction. Court V of the FAC is not asserted against SMART. In support of its Motion, SMART relies on the Declaration of Jung-Woo Lee attached hereto and the memorandum of law filed contemporaneously herewith.

s/ Michael L. Lucas

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**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing document by Notice of Electronic Filing via CM/ECF, or, if the party served does not participate in Notice of Electronic Filing, by U.S. First Class Mail on this the 20th day of September, 2022:

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